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8 LUIS COLOM,
9 Plaintiff,
10 v.
11 WELLS FARGO HOME MORTGAGE, INC.,
12 Defendant.

13 No. C-14-2410 MMC

14 **ORDER REFERRING CASE TO ADR
15 UNIT FOR ASSESSMENT TELEPHONE
16 CONFERENCE; STAYING DEADLINE
17 FOR DEFENDANT TO RESPOND TO
18 FIRST AMENDED COMPLAINT;
19 CONTINUING CASE MANAGEMENT
20 CONFERENCE**

21 Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court hereby
22 REFERS this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for
23 a telephone conference to assess the case's suitability for mediation or a settlement
24 conference. Counsel for plaintiff and for defendant shall participate in a telephone
25 conference, to be scheduled by the ADR Unit as soon as possible but no later than August
26 22, 2014.

27 Counsel shall be prepared to discuss the following subjects:

- 28
- 29 (1) Identification and description of claims and alleged defects in loan
30 documents.
 - 31 (2) Prospects for loan modification.
 - 32 (3) Prospects for settlement.

33 The parties need not submit written materials to the ADR Unit for the telephone
34 conference.

1 In preparation for the telephone conference, counsel for plaintiff shall do the
2 following:

- 3 (1) Review relevant loan documents and investigate the claims to
4 determine whether they have merit.
5 (2) If plaintiff is seeking a loan modification to resolve all or some of the
6 claims, counsel for plaintiff shall prepare a current, accurate financial
7 statement and gather all of the information and documents customarily
8 needed to support a loan modification request. Further, counsel for
9 plaintiff shall immediately notify counsel for defendant of the request
10 for a loan modification.
11 (3) Provide counsel for defendant with information necessary to evaluate
12 the prospects for loan modification, in the form of a financial statement,
13 worksheet or application customarily used by financial institutions.

10 In preparation for the telephone conference, counsel for defendant shall do the
11 following:

- 12 (1) If defendant is unable or unwilling to do a loan modification after
13 receiving notice of plaintiff's request, counsel for defendant shall
14 promptly notify counsel for plaintiff to that effect.
15 (2) Arrange for a representative of defendant with full settlement authority
16 to participate in the telephone conference.

16 The ADR Unit will notify the parties of the date and time the telephone conference
17 will be held. After the telephone conference, the ADR Unit will advise the Court of its
18 recommendation for further ADR proceedings.

19 Lastly, in light of the reference, the deadline for defendant to file a response to
20 plaintiff's First Amended Complaint is hereby STAYED, pending further order of the Court,
21 and the Case Management Conference is hereby CONTINUED from August 29, 2014 to
22 September 26, 2014.

23 **IT IS SO ORDERED.**

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25 Dated: July 28, 2014


MAXINE M. CHESNEY
United States District Judge